

House Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 177

HOUSE BILL 2145

AN ACT

AMENDING SECTION 12-1366, ARIZONA REVISED STATUTES; RELATING TO PURCHASER
DWELLING ACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-1366, Arizona Revised Statutes, is amended to
3 read:

4 12-1366. Applicability; claims and actions

5 A. This article does not apply:

6 1. If a contract for the sale of a dwelling or an association's
7 community documents contain commercially reasonable alternative dispute
8 resolution procedures. If the contract for the sale of a dwelling contains
9 the procedures, the procedures shall be conspicuously printed on the face of
10 APPEAR IN the contract in bold and capital letters. IF THE CONTRACT FOR SALE
11 OF A DWELLING CONTAINS THE PROCEDURES, A DISCLOSURE STATEMENT IN AT LEAST
12 TWELVE POINT FONT, BOLD AND CAPITAL LETTERS SHALL APPEAR ON THE FACE OF THE
13 CONTRACT AND SHALL DESCRIBE THE LOCATION OF THE ALTERNATIVE DISPUTE
14 RESOLUTION PROCEDURES WITHIN THE CONTRACT.

15 2. To personal injury claims.

16 3. To death claims.

17 4. To claims for damage to property other than a dwelling.

18 5. To common law fraud claims.

19 6. To proceedings brought pursuant to title 32, chapter 10.

20 7. To claims solely seeking recovery of monies expended for repairs
21 to alleged defects that have been repaired by the purchaser.

22 B. A dwelling action brought by an association is also subject to
23 title 33, chapter 18.

APPROVED BY THE GOVERNOR MAY 9, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 9, 2003.

Passed the House March 3, 2003

Passed the Senate May 1, 2003

by the following vote: 59 Ayes,

by the following vote: 28 Ayes,

0 Nays, 1 Not Voting

1 Nays, 1 Not Voting

Jake Flake
Speaker of the House

Ken Blumenthal
President of the Senate

Gorman L. Moore
Chief Clerk of the House

Charmine Bellenger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

5 day of May, 2005

at 1:53 o'clock P. M.

Karen Gandy
Secretary to the Governor

Approved this 9 day of

May, 2003,

at 2:45 o'clock P. M.

Jon R. Arpaia
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 9 day of May, 2003,

at 4:13 o'clock P. M.

Janice L. Brewer
Secretary of State

H.B. 2145